

DR. MICHAEL R. COOPER

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CITY OF PALM BEACH
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Dear Madam Mayor and Council,

City Parks and Recreation has declined my request to remove a Date Palm tree from my front yard. I am appealing to you for permission to remove this tree due to my concerns for the safety of those who may be passing my property, not to mention my own personal safety.

Please see the attached letter from Warrecker Brothers Vista Tree Service, outlining several points that would support my claim for safety. Also find attached two photographs of the tree; one showing its position on the property, and the other showing deterioration of the tree.

Tim Downey, the Urban Forest Superintendent, has related that the city code states that permission to remove the tree can be granted only if it an "immediate and eminent danger to public safety." How does one determine when a tree like this becomes an eminent danger to public safety?

It seems impossible for anyone to determine the exact time when a tree is an "immediate and eminent danger to public safety." As the property owner, I have determined that the tree is an immediate and eminent danger to public safety at this time. Tim Downey says that a Certified Arborist has to make that determination and then he has to concur. Duke Mc Pherson, Bruce Van Dyke and Tony Warrecker all concur that the tree should be removed.

Tim Downey has indicated that it I is who am responsible for any damage or harm that is related to the tree. I would ask that if the city declines permission for its removal, and an unfortunate incident should occur, am I still responsible or does this become the responsibility of the city?

Since I purchased my home in 1997, I have planted twenty four olive trees on the hillside property. If you grant the removal of the Date Palm I will replace it with more olive trees.

Thank you for your consideration of my appeal.



Dr. Michael Cooper



Dr. Michael Cooper
1704 Mission Ridge Rd.
Santa Barbara, CA 93103

Performing all aspects of professional tree care.

RE: Opinion on Canary Island Date Palm

Dear Dr. Michael Cooper or whom it may concern,

As you requested, I visited your property at 1704 Mission Ridge Road to provide you with my opinion on the Canary Island Date Palm located adjacent to your driveway. It is my opinion that the tree poses many risks to you as a homeowner and should be removed according to your wishes. Below, please find a list of the concerns that support my recommendation.

- 1) Date Palm seeds create an unsafe walking surface to retrieve mail on the driveway due to the steep incline.
- 2) Future pruning will require lane closure.
- 3) The incline below the tree is unsafe, resulting in an unsafe situation when trunk and ball need to be shaved and workers must retrieve debris from hillside above roadside.
- 4) This species reaches a height of 80 feet at maturity. The current location (steep incline) is hazardous for a tree of this size and would result in broken power lines and blockage of entire roadway if it were to fall.
- 5) The base of the tree is beginning to crack rock wall along the driveway. As the tree matures, damage to rock wall will be greater.
- 6) The Canary Island Date Palm is a non-native species. The owner has expressed willingness to replace tree with an Olive or Oak tree to match current landscaping.
- 7) The Canary Island Date Palm is a very costly tree to maintain and must be pruned multiple times per year due to date seeds falling on driveway.
- 8) Tree reduces property value by blocking view from every room in the house.
- 9) A shorter tree would be more appropriate for the grade and proximity to driveway.
- 10) This is the Homeowner's first request for removal. Many new trees have been installed that better suite the property aesthetically and are safer.

I believe that the above reasons warrant your request to remove the Date Palm. Your motivation is to protect your property, reduce liability and maintain a safe and beautiful landscape. I hope you are able to resolve the issue.

Sincerely,

Tony Warrecker
Owner, Vista Tree Service, Inc.

Warrecker Brothers Vista Tree Service, Inc.

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